

September, 9, 2015

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Article number: 7015 1520 0003 0792 0046

Mr. Eric W. Gerstenberg
Chief Operating Officer
Clean Harbors Inc.
42 Longwater Drive
P.O. Box 9149
Norwell, MA 02061-9149

Re: Request for Information Pursuant to Section 3007 of RCRA regarding facility operations at TSDF Facilities (See Enclosure C) located in New Jersey and New York

Dear Mr. Gerstenberg:

The United States Environmental Protection Agency (EPA) is charged with the protection of health and the environment under Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. 6901, 6928.

Enclosed is an Information Request Letter ("Request") issued pertaining to Safety Kleen Systems Inc. facilities listed in Enclosure C. This request is being made pursuant to the authority set forth in Section 3007 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927. Pursuant to this authority, the United States Environmental Protection Agency ("EPA") Region 2 may require persons with information relevant to the generation, storage, treatment, transportation, disposal, and/or otherwise handling of hazardous wastes to submit information to EPA to determine compliance with RCRA 42 U.S.C. §§ 6921 – 6992k.

Please respond to this Request within thirty (30) calendar days of receipt of this letter. Compliance with this Request is mandatory. Failure to respond fully and truthfully to the Request or to adequately justify such failure to respond can result in enforcement action by EPA pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. This Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501, et seq.

The responses to the Information Request in Enclosure A must be mailed to the following addressee:

Derval Thomas, Chief
Hazardous Waste Compliance Section
RCRA Compliance Branch
Division of Enforcement and Compliance Assistance
U.S. Environmental Protection Agency - Region 2
290 Broadway, 21st floor
New York, New York 10007-1866

If you have any questions regarding this matter, please contact Mr. Derval Thomas at telephone number (212) 637-3577, or E-mail thomas.derval@epa.gov.

Sincerely yours,

Original signed by Leonard Voo

Leonard Voo, Chief
RCRA Compliance Branch
Division of Enforcement and Compliance Assistance

Enclosures

cc: Kelly Lewandowski, Supervisor, Site Control Section
New York State Department of Environmental Conservation
625 Broadway, 11th Fl.
Albany, NY 12233-7020

Michael Hastry, Chief
Bureau of Hazardous Waste & UST
New Jersey Department of Environmental Protection
9 Ewing Street
PO Box 420
Trenton, NJ 08625-0420

Mark Hansen
Safety Kleen Systems, Inc.
6741 VIP Parkway 475
Syracuse, New York, 13211

Peter Sparaco
Safety Kleen Systems, Inc.
2600 North Central Expwy
Plano, Texas 75080

ENCLOSURE A

INFORMATION REQUEST

The Environmental Protection Agency (“EPA”) Region 2 is investigating compliance with the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. §§ 6921 – 6992k. Pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, you are hereby required to follow the instructions and provide responses to the information required by the questions in this Information Request (“Request”). You are required to submit the requested information to EPA within thirty (30) calendar days of receipt of this Request. If you anticipate that you will be unable to fully respond to this Request within thirty (30) calendar days, you must submit a sworn affidavit or declaration by a responsible corporate official within twenty (20) calendar days of receipt of this Request specifying what information will be provided within the specified 30 calendar day time period, describing what efforts have been/are being made to obtain other responsive information, and providing a detailed schedule of when such other responsive information can be provided, and a justification for why additional time is needed. Upon receipt and based on such affidavit or declaration, EPA Region 2 may extend the time period in which Safety Kleen Systems Inc. must provide the responsive information. Furthermore, EPA Region 2 retains its right to obtain additional information beyond what is sought in this Request.

All information submitted in response to this Request must be certified as true, accurate, and complete by an individual with sufficient knowledge and authority to make such representations on behalf of Safety Kleen Systems Inc. An affidavit making such representations is provided as Enclosure B. A knowing submittal of false information in response to this Request may be actionable under 18 U.S.C. § 1001, and 42 U.S.C. § 6928(d). Furthermore, failure to fully comply with this Request may subject Safety Kleen Systems Inc. to an enforcement action under Section 3008 of RCRA, 42 U.S.C. § 6928.

In accordance with Section 3007(b) of RCRA, 42 U.S.C. § 6927(b), the records, reports, and information requested in this Request must be submitted, whether or not you regard part or all of it as a trade secret or confidential. You may, if you desire, assert a business confidentiality claim for all or part of the information submitted in accordance with 40 C.F.R. Part 2. The information qualifying as business confidential will be disclosed by EPA only to the extent and by the procedures set forth in 40 C.F.R. Part 2, Subpart B. Unless you make a claim at the time that you submit the information, it may be made available to the public by EPA without further notice to you. If you do assert a business confidentiality claim, you must follow the procedures set forth in Section I - Instructions.

All information responsive to this Request should be sent to the following:

Derval Thomas, Chief
Hazardous Waste Compliance Section
RCRA Compliance Branch
Division of Enforcement and Compliance Assistance
U.S. Environmental Protection Agency - Region 2
290 Broadway, 21st floor
New York, New York 10007-1866

I. INSTRUCTIONS

1. The enclosed Affidavit (Enclosure B) must be filled out and signed by a responsible corporate official and submitted along with your responses to this Request.
2. If information or documents not known or not available to you as of the date of submission of a response to this Request should later become known or available to you, you must supplement your response to EPA Region 2. Moreover, should you find, at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response. There are significant penalties for submitting false information, including the possibility of fines or imprisonment.
3. For each document produced in response to this Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds. Please submit all information for each question in one logically sequenced electronic format (i.e., electronic copy) and one logically sequenced bound format (i.e., paper copy). Responsive information in electronic format should be submitted on a compact disc (CD) to EPA Region 2.
4. If you wish to assert a claim of business confidentiality, you must clearly mark each page of each document included in your claim with a legend such as "trade secret," "proprietary," or "company confidential". If you claim information submitted in response to this Request as confidential, you must also provide a redacted version of the information with all confidential business information deleted. For any document in which you assert a claim of business confidentiality, please answer the following questions:
 - a. What specific portions of the information are alleged to be entitled to confidential treatment? Specify by page, paragraph, sentence and/or any other specific method for identifying the information subject to your claim.
 - b. For what period of time do you request that the information be maintained as confidential, *e.g.*, until a certain date, until the occurrence of a specified

event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, specify that event. Additionally, explain why the information should be protected for the time period you've specified.

- c. What measures have you taken to protect the information claimed as confidential from undesired disclosure? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If yes, why is the information still considered confidential?
- d. Is the information contained in any publicly accessible forums or materials such as the Internet, databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily release to the public? If yes, why is the information still considered confidential?
- e. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
- f. For each category of information claimed as confidential, explain with specificity whether disclosure of the information is likely to result in substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
- g. Is there any other explanation you deem relevant to EPA's determination of your business confidentiality claim that is not covered in the preceding questions? If so, you may provide such additional explanation.

You must furnish answers to the above questions concurrent with your response to this Request if you have claimed any information as business confidential. (*See* 40 C.F.R. § 2.204(e)(2).) Pursuant to 40 C.F.R. § 2.205(b)(2), you may request an extension of this deadline. EPA may construe your failure to furnish timely answers as a waiver of your confidentiality claim, consistent with 40 C.F.R. § 2.204(e)(1).

II. DEFINITIONS

The following definitions shall apply to the following words as they appear in Enclosure A:

- 1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, both electronic and tangible, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt,

endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations, including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intra-office communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any hard drive, flash drive, CD, DVD, or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such hard drive, flash drive, CD, DVD, or other type of memory and together with printouts of such hard drive, flash drive, CD, DVD, or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document, and (e) every document referred to in any other document.

2. The term "Safety Kleen Systems Inc." includes any officer, director, agent, or employee of Safety Kleen Systems Inc., including any merged, consolidated, or acquired predecessor or parent, subsidiary, division, or affiliate thereof.
3. The term "you" or "yours" refers to Safety Kleen Systems Inc.
4. The term "facility" means Safety Kleen Systems Inc. facilities listed in Enclosure C.
5. The terms "identify" or "identification" means when used in reference to a natural person, to provide his or her name, present or last known address, present or last known employment position or affiliation, and positions or affiliations during the time period covered by this Request.
6. All terms used in the Request will have their ordinary meaning unless such terms are defined in RCRA, 40 C.F.R. Parts 260 - 280, and the federally-authorized New York hazardous waste program.
7. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Request, any information which might otherwise be construed to be outside its scope.
8. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.
9. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

10. The term “managed” shall mean treated, stored, disposed, recycled, handled, or reclaimed and includes the definition for “management” or “hazardous waste management” as defined at 40 C.F.R. § 260.10.

III. INFORMATION REQUESTED

1. Identify the person(s) answering these questions on behalf of Safety Kleen Systems Inc. facilities listed in the Enclosure C.
2. Provide the following electronic data related to hazardous waste received at your facility for the last 5 years:
 - a. Shipping document information (manifest number or bill of lading number);
 - b. Name of the generating facility;
 - c. Address of the generating facility, including Street, City, State, and Zip Code;
 - d. Date shipped from the generating facility;
 - e. EPA identification number of the generating facility;
 - f. Waste quantity;
 - g. Units of measure (i.e. pounds, kilograms, tons, etc.);
 - h. EPA hazardous waste codes;
 - i. State hazardous waste codes (if applicable);
 - j. DOT shipping description;
 - k. Treatment method.

ENCLOSURE B

STATEMENT OF CERTIFICATION

CERTIFICATION OF ANSWERS

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in response to EPA's Request for Information, and all documents submitted herewith; that the submitted information is true, accurate, and complete; and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am authorized to respond to this information request on behalf of Safety Kleen Systems Inc. and I certify under penalty of perjury that the foregoing is true and correct.

Name (print or type)

SIGNATURE

DATE

TITLE

ENCLOSURE C

SAFETY-KLEEN SYSTEMS INC. FACILITIES

Handler ID	State	Street No.	Street Name	City	Zip Code
NJD982270506	NJ	116	Skyline Drive	South Plainfield	07080
NJD000768101	NJ	123	Red Lion Road	Southampton Twp.	08088
NYD982743312	NY	6741	VIP Parkway	Syracuse	13211
NYD980753784	NY	1525	W. Henrietta Rd	Avon	14414
NYD981556541	NY	41	North Gates Ave	Lackawanna	14218
NYD986872869	NY	17	Green Mountain Dr.	Cohoes	12047
NJD002182897	NJ	1200	Sylvan Street	Linden	07036